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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/708,776 | 11/08/2000 | Luis M. Ortiz | K1023 | 2526 |
| 7590 | 11/30/2005 | | EXAMINER | |
| Kermit D. Lopez/Luis M. Ortiz ORTIZ & LOPEZ, PLLC Patent Attorneys P.O. Box 4484 Albuquerque, NM 87196-4484 | | | GESESSE, TILAHUN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2684 | |
| DATE MAILED: 11/30/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/708,776 | ORTIZ ET AL. | |
| | Examiner | Art Unit | |
| | Tilahun B. Gesessse | 2684 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 August 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8,10-17,19,21-25,27,28 and 30-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8,10-17,19,21-25,27,28 and 30-40 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of claims

1. Claims 9,18,20,26 and 29 have been canceled and claims 1-8, 10-17,19,21-25,27-28 and 30-40 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8,10-17,19,21-25,27-28,30-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strandwitz et al "Strandwitz" in view of DeLuca U.S. patent No. 5,663717.

Regarding claim 1, Strandwitz discloses a method for receiving venue-based data at a hand held device, (see figure 7 item #715), the method comprising the steps of Strandwitz discloses wirelessly receiving data at a hand held device (715) the data including video streaming simultaneously from more than one visual perspective within a security venue (700 and 701 of figure 7) and transmitted from at least one venue-based data source of at least the security venue (see figure 7 and column 10, lines 24-44) processing the data for display on a display screen (715) associated with the hand held device (see figure 7) and displaying said data on said display screen

(display screens of items #715 and 720 of figure 7, column 10, lines 24-44 and column 10, lines 2-23).

Strandwitz teaches video captured from different angles of the building for security purpose. Strandwitz does not teach entertainment (sport). However, DeLuca teaches entertainment or sport such as baseball capture and transmit video alerts and displayed at hand held device (110) (column 5, lines 10-29 and figure 1. Strandwitz and DeLuca teach wireless network, for retrieving video data captured and transmit through wireless network, then it would have been obvious to one of ordinary art at the time of the invention was made to utilize Strandwitz's system at sport arena for capturing video and transmit to a hand held device, as taught by DeLuca, for easy assessing sport event at portable device such as hand held device while traveling than watching wired television at specific location.

Regarding claim 2., Strandwitz discloses the source comprises at least one video camera (700 and 701,601,600,100 of figures 6 and 7).

Regarding claim 3, Strandwitz discloses the least one adapted to provide high-resolution wide-angle video data (column 10, lines 64-column 11, line 43 and figure 8).

Regarding claim 4, Strandwitz discloses receiving at a hand held device data transmitted from at least one venue-based data source (700 and 701), further comprises the step of receiving through at least one wireless receiver (715 and 720) at said hand held device, data transmitted from said at least one venue-based data source (see figures 6 and 7, column 10, lines 24-44 and column 10, lines 2-23).

Regarding claim 5 Strandwitz discloses broadcasting the data to said hand held device through wireless communications (see figures 6 and 7).

Regarding claims 6-7. Strandwitz discloses transmitting said data from said at least one venue-based data source to said hand held device through a wireless network (see figure 7 and it's disclosure, column 10, lines 24-44 and column 10, lines 2-23).

Regarding claims 8 and 11-13, Strandwitz discloses displaying processed data on the display screen, further comprises the step of : displaying processed data on said display screen, in response to user input through a user interface associated with said hand held device.. (display screens of Item #715 and 720 of figure 7).

Claim 10, Strandwitz in view of DeLuca teaches as explained in claim 1 above. Strandwitz further teaches a user manual select (120) real time video mode , or verified video mode, column 3, lines 55-65 and column 11, lines 45-65).

Regarding claims 14-15, Strandwitz discloses the data further comprises advertising information and promotional information (see figure 7).

Regarding claim 16, Strandwitz discloses a method for wirelessly receiving venue-based data at a hand held device (security system of figure 7), the method comprising :

Strandwitz discloses wirelessly receiving at a hand held device data including at more than one video perspective streaming simultaneously from more than one video camera (700 and 701) located within a security venue, the data processing said data for display on a display' screen associated with said hand held device; and displaying

the data on said display screen; (see figures 6 and 7 column 10, lines 24-44 and column 10, lines 2-23).

Strandwitz teaches video captured from different angles of the building for security purpose. Strandwitz does not teach entertainment (sport). However, DeLuca teaches entertainment or sport such as baseball capture and transmit video alerts and displayed at hand held device (110) (column 5, lines 10-29 and figure 1. Strandwitz and DeLuca teach wireless network, for retrieving video data captured and transmit through wireless network, then it would have been obvious to one of ordinary art at the time of the invention was made to utilize Strandwitz's system at sport arena for capturing video and transmit to a hand held device, as taught by DeLuca, for easy assessing sport event at portable device such as hand held device while traveling than watching wired television at specific location.

Regarding claim 19, it is apparatus claim which corresponds to method claim 1, above. Therefore, it is analyzed and rejected for the same reason set forth in the claim.

Regarding claims 21-25, Strandwitz discloses at least one of the more than one video camera is adapted to provide high-resolution wide-angle wireless video data (see figure 7 and it's disclosure).

Regarding claim 27-28, Strandwitz discloses a display routine adapted for displaying a particular perspective of the venue-based activity on the display screen in response to a user selection of said particular perspective of said venue activity (see figure 7, column 11, line 45-50).

Regarding claim 30-32, Strandwitz discloses the data further comprises advertising information and promotional information (see figures 6 and 7).

Claim 33, it is a system claim, which corresponds to method claim 1, above. Therefore, it is analyzed and rejected for the same reason as set forth in the claim.

Regarding claim 34, it is a system claim, which corresponds to method claim 1, above. Therefore, it is analyzed and rejected for the same reason as set forth in the claim.

Regarding claims 36-40, Strandwitz does not expressly teach a entertainment venue includes at least one of a: football stadium, baseball stadium, soccer stadium, boxing arena, wrestling arena, car racing stadium, horse racing stadium, golf course, concert hall.

However, DeLuca teaches the entertainment venue includes at least one of a baseball stadium (see column 5 ,lines 10-29 and figure 1). Strandwitz and DeLuca teach wireless network, for retrieving video data captured and transmit through wireless network, then it would have been obvious to one of ordinary art at the time of the invention was made to utilize Strandwitz's system at sport arena such as baseball , for capturing video and transmit to a hand held device, as taught by DeLuca, for easy assessing sport event at portable device such as hand held device while traveling than watching wired television at specific location.

Regarding claim 35, it is a system claim, which corresponds to claim 16, above. It is analyzed and rejected for same reason as set forth in the claim.

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Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strandwitz in view of DeLuce as applied to claims 1-8,10-16,19,21-25,27-28,30-40 above, and further in view of Harris et al U. S . patent No. 6,009,336 "Harris".

Strandwitz in view of DeLuce teach all limitations as explained in claim 1 above. Strandwitz in view of DeLuce do not teach touching the touch screen display. However, Harris teaches touching the touch screen display (column 5, lines 45-59 and figure 1). Then it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to modify Strandwitz and DeLuce system a sensing circuit at the display , as taught by Harris , since, it is easy manipulating the screen than operating as screen display through keypad that requires to memorize the operating keys.

Response to Arguments

Applicant's arguments with respect to claims 1-8,10-17,19,21-25,27-28,30-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

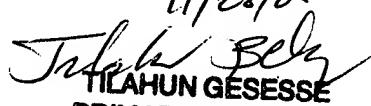
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882.

The Central FAX Number will change to 571-273-8300. This

new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

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11/28/05

TILAHUN GESE SSE
PRIMARY EXAMINER